

CUSTOMER NO. 24498
Serial No.: 10/530,899

PF020137

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

Applicant: Eric Diehl
Ser. No.: 10/530,899
Filed: October 26, 2005
For: DEVICE FOR STORING A LIST OF ELEMENTS AND METHOD OF
STORING AN ELEMENT IN ONE SUCH DEVICE
Examiner: VERDERAMO III, RALPH
Art Unit: 2186

REPLY BRIEF

May It Please The Honorable Board:

This is the Appellant's Reply to the Examiner's Answer which was mailed on 26 September 2008. The Appellant waives an oral hearing for this appeal.

Please charge any fee for filing this Reply Brief to Deposit Account No. 07-0832. Enclosed is a single copy of this Reply Brief.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to Mail Stop Appeal Brief, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at facsimile number (571) 273-8300.

10-17-08
Date

E. Buchholz

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ARGUMENT

The Appellant can not agree with the Examiner's analysis of Jouppi et al, "Tradeoffs in Two-Level On-Chip Caching." The Examiner has asserted that Jouppi et al disclose:

"a first memory adapted to memorize a maximum of M items that were last presented to said device, M being a natural integer less than N ;

a second memory adapted to memorize $N-M$ second items, each of said $N-M$ items being different from each of said M items,"

as specifically set forth in Claim 1. Similar language is contained in Claim 6. However, the Examiner has failed to recognize that portion a) of Figure 8-1 of Jouppi et al shows item B to be duplicated in the second level cache, and that portion b) of Figure 8-1 shows item A to be duplicated in the first and second level caches.

It is therefore clear that Jouppi et al does *NOT* show or suggest two-level caching with no duplication of data, as asserted by the Examiner.

The Appellant therefore submits that the Final Rejection is error and should be reversed. A notice to that effect is respectfully solicited.

Respectfully submitted,
Eric Diehl

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